

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

EDWIN RUIZ,

Supervisee.


No. 11-cr-676-8 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of defense counsel's sealed submission, dated May 24, 2021, and the government's letter and audio-visual submission, submitted on May 27, 2021, regarding the Supervisee's alleged violations of the terms of his supervised release. (Doc. No. 256). In light of the representations contained in the government's submissions, IT IS HEREBY ORDERED THAT the parties shall appear for a conference on Monday, June 14, 2021 at 11:00 a.m., at which time the Supervisee will be presented on the alleged violations, as to which he will enter a formal admission or denial. In the event that the Supervisee denies the specifications, the Court will schedule an evidentiary hearing after consulting with the parties. The Supervisee's counsel, David Ruhnke, shall submit a letter to the Court no later than Monday, June 7, 2021, indicating whether his client wishes to appear in person or remotely via ZoomGov videoconference. If the latter, Mr. Ruhnke shall discuss with his client the attached Waiver of Right to be Physically Present at a Criminal Proceeding form, which shall then be executed and returned to the Court. The Court will then issue further instructions concerning the requested videoconference. Members of the public may monitor the proceedings via the Court's free audio line by dialing 1-888-363-4749 and using access code 3290725#.

SO ORDERED.

Dated: May 28, 2021
New York, New York


RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

EDWIN RUIZ

Supervisee.

**WAIVER OF RIGHT TO BE PRESENT AT
CRIMINAL PROCEEDING**

11-cr-676-8 (RJS)

____ Supervised Release Conference

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time the conditions of my release on supervision or my remand to custody are discussed. I have discussed these rights with my attorney and wish to give up these rights for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney and I be permitted to participate by telephone, or if it is reasonably available by videoconferencing, in any conference with the court at which such conditions or my remand are discussed.

Date:

Signature of Defendant

Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the specifications of violation of supervised release, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held without my client being physically present in court.

Date:

Signature of Defense Counsel

Print Name

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is:

_____.

Date:

Signature of Defense Counsel

Accepted:

Signature of Judge

Date: